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6-25-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

GOLDBERG et al.

Serial No.: 09/502,285

Filed: February 11, 2000

Atty. File No.: 3367-2-2

For: "A NETWORK GAMING SYSTEM"
(Old Title)
"A NETWORKED SYSTEM FOR
PRESENTING ADVERTISING"

Group Art Unit: 3714

Examiner: Carmen D. White

**REQUEST FOR CONSIDERATION
OF INFORMATION DISCLOSURE
STATEMENT PREVIOUSLY FILED
ON MAY 8, 2002**

Express Mail Label: EL417660312US

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In a recent transmittal from the U.S. Patent Office having mailing date of May 29, 2002, a Request for Continued Examination ("RCE") filed in the present application was not entered. With this "RCE," an additional Information Disclosure Statement ("IDS") was filed on May 8, 2002 to be entered, and a subsequent duplicate version was filed in that some of the references that should have been filed in the May 8th "IDS" were inadvertently omitted. Since the "IDS" (and its duplicate) was filed after the first action on the merits of the application, it is believed that the enclosed "IDS" transmittal clarifies the status of this "IDS" in relation to 37 C.F.R. §1.97.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:

Dennis J. Dupray, Ph.D.
Registration No. 46,299
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date:

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:)	Group Art Unit: 3714
)	
GOLDBERG et al.)	Examiner: Carmen D. White
)	
Serial No.: 09/502,285)	<u>DUPLICATE OF INFORMATION</u>
)	<u>DISCLOSURE STATEMENT</u>
Filed: February 11, 2000)	<u>ORIGINALLY FILED ON MAY 8, 2002</u>
)	
Atty. File No.: 3367-2-2)	Express Mail Label No.: EL417660312US
)	
For: "A NETWORK GAMING)	
SYSTEM" (Old Title))	
"A NETWORKED SYSTEM FOR)	
PRESENTING ADVERTISING")	
(New Title))	

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

Copies of the cited references:

- ☐ Are enclosed herewith.
- ☒ Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were submitted to the U.S. Patent and Trademark Office in previously filed Information Disclosure Statements on May 8, 2002 and May 15, 2002 (which is a supplemental of the Information Disclosure Statement filed on May 8, 2002).

☐ To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☒ Examiner's attention is drawn to the following co-pending applications, copies of which have been or are being submitted:

Serial No. 09/811,173 filed March 6, 2001

Serial No. 09/830,593 filed April 26, 2001

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in

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the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfies one of the following conditions ("X" indicates satisfaction):</p> <div style="margin-left: 20px;"> <input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or <input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or <input type="checkbox"/> Before the mailing date of a first Office Action on the merits, or <input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. </div> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input checked="" type="checkbox"/>	<p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <div style="margin-left: 40px;"> (1) a final action under 37 C.F.R. 1.113 or (2) a notice of allowance under 37 C.F.R. 1.311, or (3) an action that otherwise closes prosecution in the application. </div> <p>This Information Disclosure Statement is accompanied by:</p> <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. </div> <p style="text-align: center;">OR</p> <div style="margin-left: 20px;"> <input type="checkbox"/> A check in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. </div>
<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <div style="margin-left: 20px;"> <input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e) </div> <p style="text-align: center;">AND</p> <div style="margin-left: 20px;"> <input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification. </div>

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

☒ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☒ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS, P.C.

By: 

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TELEPHONE: 303-863-2975
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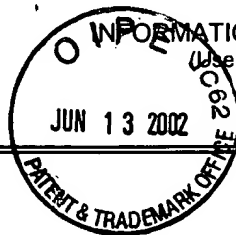
Date: June 13, 2007

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COPY SEE IDS Submitter 5/8/02

#12

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
3367-2-2SERIAL NO.
09/502,285APPLICANT
GOLDBERG et al.FILING DATE
February 11, 2000GROUP ART
3713

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	1	5,664,948	9/1997	Dimitriadis et al.	343	307 R	
	2	5,617,565	4/1997	Augenbraun et al.	395	604	
	3	5,660,366	2/1997	Schulman	348		
	4	5,600,366	2/1997	Schulman	348	9	
	5	5,583,563	12/1996	Wanderscheid et al.	348	9	
	6	5,579,537	11/1996	Takahisa	455	66	
	7	5,577,266	11/1996	Takahisa et al.	455	66	
	8	5,557,721	9/1996	Fite et al.	395	148	
	9	5,537,586	7/1996	Amram et al.	395	148	
	10	5,528,490	6/1996	Hill	364	600	
	11	5,515,098	5/1996	Carles	348	8	
	12	5,511,160	4/1996	Robson	395	162	
	13	5,498,003	3/1996	Gechter	273	434	
	14	5,483,466	1/1996	Kawahara et al.	364	514 C	
	15	5,471,629	11/1995	Risch	395	800	
	16	5,446,919	8/1995	Wilkins	455	6.2	
	17	5,442,771	8/1995	Filepp et al.	395	650	
	18	5,440,262	8/1995	Lee et al.	345	212	
	19	5,434,978	7/1995	Dockter et al.	395	200	
	20	5,428,606	6/1995	Moskowitz	370	60	
	21	5,426,594	6/1995	Wright et al.	364	514 R	
	22	5,414,773	5/1995	Handelman	380	49	
	23	5,404,505	4/1995	Levinson	395	600	
	24	5,377,354	12/1994	Scannell et al.	395	650	
	25	5,361,393	11/1994	Rossillo	395	650	
	26	5,357,276	10/1994	Banker et al.	348	7	

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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09/502,285

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

APPLICANT
GOLDBERG et al.FILING DATE
February 11, 2000GROUP ART
3713

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27	5,355,480	10/1994	Smith et al.	395	600	
28	5,353,218	10/1994	De Lapa et al.	364	401	
29	5,347,632	9/1994	Filepp et al.	395	200	
30	5,345,594	9/1994	Tsuda	455	18	
31	5,343,300	8/1994	Hennig	348	478	
32	5,339,239	8/1994	Manabe et al.	364	401	
33	5,337,155	8/1994	Cornelis	348	473	
34	5,319,707	6/1994	Wasilewski et al.	380	14	
35	5,319,455	6/1994	Hoarty et al.	348	7	
36	5,305,195	4/1994	Murphy	364	401	
37	5,301,028	4/1994	Banker et al.	348	570	
38	5,285,272	2/1994	Bradley et al.	348	6	
39	5,283,856	2/1994	Gross et al.	395	51	
40	5,283,731	2/1994	Lalonde	364	401	
41	5,283,639	2/1994	Esch et al.	348	6	
42	5,261,042	11/1993	Brandt	395	156	
43	5,231,493	7/1993	Apitz	358	146	
44	5,230,048	7/1993	Moy	395	600	
45	5,220,657	6/1993	Bly et al.	395	425	
46	5,220,420	6/1993	Hoarty et al.	358	86	
47	5,200,823	4/1993	Yoneda et al.	358	146	
48	5,187,787	2/1993	Skeen et al.	395	600	
49	5,182,640	1/1993	Takano	358	86	
50	5,51,789	9/1992	Young	385	194.1	
51	5,133,075	7/1992	Risch	395	800	
52	5,105,184	4/1992	Pirani et al.	340	721	
53	5,099,319	3/1992	Esch et al.	358	86	

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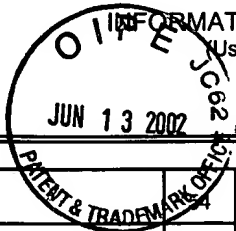
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FORM PTO-1449

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INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

APPLICANT
GOLDBERG et al.FILING DATE
February 11, 2000GROUP ART
3713

	5,077,607	12/1991	Johnson et al.	358	86	
55	5,075,771	12/1991	Hashimoto	358	84	
56	5,058,108	10/1991	Mann et al.	370	85.1	
57	5,053,889	10/1991	Johnson	358	349	
58	5,008,853	4/1991	Bly et al.	364	900	
59	5,001,554	3/1991	Johnson et al.	358	86	
60	4,994,908	2/1991	Kuban et al.	358	68	
61	4,991,011	2/1991	Johnson et al.	358	141	
62	4,987,486	1/1991	Johnson et al.	358	86	
63	4,977,455	12/1990	Young	358	142	
64	4,975,905	12/1990	Mann et al.	370	85.1	
65	4,975,904	12/1990	Mann et al.	370	85.1	
66	4,974,149	11/1990	Valenti	364	200	
67	4,908,713	3/1990	Levine	385	335	
68	4,908,707	3/1990	Kinghorn	358	147	
69	4,890,321	12/1989	Seth-smith et al.	380	20	
70	4,873,662	10/1989	Sargent	364	900	
71	4,868,866	9/1989	Williams, Jr.	380	49	
72	4,866,700	9/1989	Seth-Smith et al.	380	20	
73	4,829,569	5/1989	Seth-Smith et al.	380	10	
74	4,823,122	4/1989	Mann et al.	340	825.28	
75	4,821,102	4,1989	Ichikawa et al.	358	183	
76	4,815,030	3/1989	Cross et al.	364	900	
77	4,775,935	10/1988	Yourick	364	101	
78	4,768,110	8/1988	Dunlap et al.	360	33.1	
79	4,751,669	6/1988	Striglis et al.	364	900	

EXAMINER

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	APPLICANT GOLDBERG et al.	
	FILING DATE February 11, 2000	GROUP ART 3713

	4,751,578	6/1988	Reiter et al.	358	183	
81	4,706,121	11/1987	Young	358	142	
82	4,701,794	10/1987	Froling et al.	358	147	
83	4,691,354	9/1987	Palminteri	380	15	
84	4,691,351	9/1987	Hayashi et al.	380	10	
85	4,677,466	6/1987	Lert, Jr. et al.	358	84	
86	4,641,205	2/1987	Beyers, Jr.	360	33.1	
87	4,575,579	3/1986	Simon et al.	178	4	
88	4,536,791	8/1985	Campbell et al.	358	122	
89	4,488,179	12/1984	Kruger et al.	358	181	
90	4,476,488	10/1984	Merrell	358	86	
91	4,429,385	1/1984	Cichelli et al.	370	92	
92	4,405,946	9/1983	Knight	358	192.1	
93	4,381,522	4/1983	Lambert	358	86	
94	4,347,498	8/1982	Lee et al.	340	825.02	
95	4,338,644	7/1982	Staar	360	132	
96	4,307,446	12/1981	Barton et al.	364	200	
97	4,305,101	12/1981	Yarbrough et al.	360	69	
98	4,288,809	9/1981	Yabe	358	12	
99	4,287,592	9/1981	Paulish et al.	370	88	
100	4,224,644	9/1980	Lewis et al.	360	72.2	
101	4,186,413	1/1980	Mortimer	358	146	
102	4,170,782	10/1979	Miller	358	84	
103	3,987,398	10/1976	Fung	325	309	
104	3,848,193	11/1974	Martin et al.	325	53	

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SERIAL NO.

09/502,285

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

JUN 13 2002

APPLICANT

GOLDBERG et al.

FILING DATE

February 11, 2000

GROUP ART

3713

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	105	GB 2 034 995 A	10/16/1979	United Kingdom	H03J	7/185/00	X	
	106	GB 2 141 907 A	01/03/1985	United Kingdom	G06F 3/153	G09F 23/14	X	
	107	GB 2 185 670 A	07/22/1987	United Kingdom	H04N	7/087	X	
	108	GB 2 207 314 A	1/25/1989	United Kingdom	G11B H04N	15/02 7/00	X	
	109	GB 2 256 549 A	9/12/1992	United Kingdom	H04N	5/782	X	
	110	GB 2 281 434 A	1/3/1995	United Kingdom	G10H	1/00	X	
	111	WO 88/04507	6/16/1988	PCT	HO4N	7/087	X	
	112	WO 90/07844	7/12/1990	PCT	H04N	5/782	X	
	113	WO 93/09631	5/13/1993	PCT	HO4N	1/00	X	
	114	WO 92/12488	7/23/1992	PCT	G06F	15/20	X	
	115	WO 93/19427	9/30/1993	PCT	G06F	15/21	X	
	116	WO 96/30864	10/3/1996	PCT	G06K	13/00	X	
	117	WO 96/34466	10/31/1996	PCT	HO4H	1/00	X	
	118	WO 96/36141	11/14/1996	PCT	HO4H	1/00	X	
	119	WO 95/31069	11/16/1995	PCT	HO4N	7/087, 7/08	X	
	120	GB 2 185 670 A	7/22/87	UK	—	—		
	121	GB 2 034 995	6/11/80	UK	—	—		
	122	GB 2 185 670 A	7/22/87	UK	—	—		
	123	JP 6314184	11/8/94	Japan (Abstract)	—	—		
	124	EP 680179		EPO (Abstract) (Dialog Accession No. 00718055 in Dialog® File 348)	—	—		
	125	EP 680235		EPO (Abstract) (Dialog Accession No. 00718054 in Dialog® File 348)	—	—		

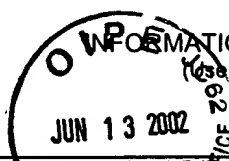
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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE 	ATTY. DOCKET NO. 3367-2-2	SERIAL-NO. 09/502,285
	APPLICANT GOLDBERG et al. JUN 24 2002	
	FILING DATE February 11, 2000 C 3700	GROUP ART 3M 3713


	EP 680173	EPO (Abstract) (Dialog Accession No. 00718052 in Dialog® File 348)				
127	EP 370146	EPO (Abstract) (Dialog Accession No. 00319023 in Dialog® File 348)				
128	EP 307925	EPO (Abstract)				
129	EP 290207	EPO (Abstract) (Dialog Accession No. 00311901 in Dialog® File 348)				
130	EP 279297	EPO (Abstract)				

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

131	Phillips; "An Interpersonal Multimedia Visualization System"; <i>IEEE Computer Graphics & Applications</i> ; 1991, pgs. 20-27
132	Jackson et al.; "InterMail: A Prototype Hypermedia Mail System"; <i>Hypertext '91 Proceedings</i> ; December 1991, pgs. 405-9
133	Borenstein; "Multimedia Electronic Mail: Will the Dream Become a Reality?"; <i>Communications of the ACM</i> ; April 1991, 34(4), pgs. 117-119
134	Cooperstock et al.; "Why Use a Fishing Line When You Have a Net? An Adaptive Multicast Data Distribution Protocol"; <i>USENIX Technical Conference</i> ; January 22-26, 1996; pgs. 343-352
135	Thimm; "A Multimedia Enhanced CSCW Teleservice for Wide Area Cooperative Authoring of Multimedia Documents"; <i>SIGOIS Bulletin</i> ; December 1994, 15(2); pgs. 49-57
136	Zuckermann; "Pushing the Envelope on Delivery of Customized Internet"; <i>New York Times</i> ; December 9, 1996; 2 pgs.
137	Berst; "Push' Products Redefine Internet"; <i>PC Week</i> ; November 25, 1996; pg. 63
138	Barrie et al.; "The World Wide Web As An Instructional Tool"; <i>Science</i> ; October 18, 1996; 274; pgs. 371-372
139	Brown; "LapLink Keeps In Touch"; <i>PC Magazine</i> ; January 7, 1997; pg. 60
140	Finnie; "Look, Ma! No Brower"; <i>PC Magazine</i> ; January 7, 1997; pg. 60
141	"Intermind 'pushes' 140 New Web Channels, Thre Times That of Marimba, Backweb and Ifusion Combined"; <i>SchwabOnline</i> ; February 6, 1997; 2 pgs.
142	"Patent Office May Hinder Hopping of Bunny Across Computerscreens"; <i>Washington Times</i> ; 1997; 2 pgs.
143	Hassett et al.; "Technical Excellence Online Winner: The PointCast Network"; <i>PC Magazine Online</i> ; 1996; 1 pg.
144	Alsop; "PointCast and Its Wannabes"; <i>Fortune</i> ; November 25, 1996; 2 pgs.
145	Abate; "Major Deal To Map Internet Future"; <i>San Francisco Examiner</i> ; December 12, 1996; 1 pg.
146	Zuckerman; "Microsoft and Pointcast in Broadcast Alliance"; <i>New York Times</i> ; December 12, 1996; 1 pg.
147	Bank; "Microsoft Picks On-Line News From PointCast"; <i>Wall Street Journal</i> ; December 12, 1996; 1 pg.

EXAMINER	DATE CONSIDERED
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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE 	ATTY. DOCKET NO. 3367-2-2	SERIAL NO. WED R109/502,285
	APPLICANT GOLDBERG et al.	
	FILING DATE February 11, 2000	JUN 24 2002 GROUP MAIL ROOM 3713

148	Bank; "Inverted Web: How Net is Becoming More Like Television To Draw Advertisers"; <i>Wall Street Journal</i> ; December 13, 1996; 3 pgs.
149	Andres; "User Friendly: PointCast's 'Push' Method Could Be The Next Wave"; <i>Personal Technology</i> ; December 1, 1996; 1 pg.
150	Haar; "Young Turks Point The Way Offline"; <i>CyberMedia</i> ; October 14, 1996; 2 pgs.
151	Finnie; "Free News You Can Use"; <i>PCCOMPUTING.COM</i> ; 1 pg.
152	Rapoza; "I-Server: Gotta Have It"; <i>PC Week</i> ; October 28, 1996; 12(43); 1 pg.
153	Nelson; "Information Distribution System: PointCast I-Server Pleases All"; <i>Info World</i> ; November 18, 1996; pg. IW/3 and IW/8
154	Dieberger; "Browsing The WWW by Interacting With a Textual Virtual Envrinment - A Framework for Experimenting With Navigational Metaphors"; <i>Hypertext '96</i> ; 1996; pgs. 170-179
155	Miller; "News On-Demand for Multimedia Networks"; <i>ACM Multimedia</i> ; 1993; pgs. 383-392
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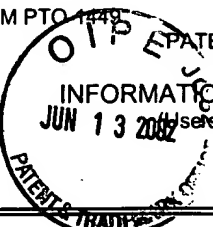
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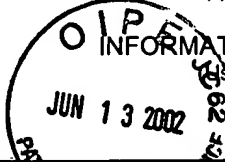
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